

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL, 1998.

BEFORE

THE HON'BLE MR.JUSTICE H.L.DATTU.

WRIT PETITION NO. 9129/1992.

BETWEEN:-

Sri.Omprakash,
s/o Sri.Basappa, L.M.
aged about 36 years,
occ.Literate Mazdoor,
Office of the Assistant
ExecutiveEngineer, P.W.D.
Sub-Division, Humnabad,
Dist.Bidar now converted as
Office ofthe Assistant Executive
Engineer, Zilla Parishat Engineering
Sub-Division, Humnabad,
Dist.Bidar. ..Petitioner.

(By Sri.Vigneshwara .S.Shastry.,for petr.,)

635

-2-

AND :-

1. The State of Karnataka,
rep. by its Secretary
to Rural Development and
Panchayat Raj Department,
M.S.Bldg, Bangalore.

2. The Executive Engineer,
Zilla Parishat, Engineering
Division, Bidar.

3. The Assistant Executive
Engineer, Zilla Parishat
Engineering Sub-Division,
Hunnabad, Dist. Bidar.

4. The Zilla Parishat,
Bidar by its Chief
Secretary. . . Respondents.

(By Sri.B.Veerappa., HCGP for respdts.)

Writ Petition filed under Articles 226
and 227 of the Constitution of India with an
affidavit praying to declare the termination of
the services of the petitioner from his post as
illegal and void and etc.

6/36

-3-

Writ Petition coming on for Hg. this day,
the Court made the following:-

O R D E R

Petitioner was working as a Literate Mazdoor in the office of the Asst. Executive Engineer, P.W.D. Sub-Division, Humnabad. According to him his services came to be terminated by the respondents some time in the year 1985. Petitioner did not question the correctness or otherwise of the said order of termination till the year 1992.

For the first time petitioner approaches this Court in the year 1992 and requests this Court to set aside the order of termination passed by the respondent authorities. In my view petitioner has not explained the delay in approaching this Court nearly after seven years from the date of the termination order. In the instant case delay is fatal to the proceedings. This Court would not assist a person who had slept over his rights. In that view of the matter the relief sought for by the petitioner in

633
-4-

this petition cannot be granted. Accordingly petition is rejected. Rule discharged. In the facts and circumstances of the case parties are directed to bear their own costs. Ordered accordingly.

Sd/-Judge.

sns(o.s.)

r.by: ✓

c.by: ✓
10/1/98

B

COPY

WZ
Assistant Registrar
High Court of Karnataka
Bangalore-560 001

21/1/98

